

Calendar No. 63

108TH CONGRESS
1ST SESSION

S. J. RES. 3

Expressing the sense of the Congress with respect to human rights in Central Asia.

IN THE SENATE OF THE UNITED STATES

JANUARY 14, 2003

Mr. MCCAIN (for himself, Mr. LIEBERMAN, Mr. BINGAMAN, Mr. DURBIN, Mr. SANTORUM, Mr. MILLER, and Mr. SUNUNU) introduced the following joint resolution; which was read twice and referred to the Committee on Foreign Relations

APRIL 9, 2003

Reported by Mr. LUGAR, without amendment

JOINT RESOLUTION

Expressing the sense of the Congress with respect to human rights in Central Asia.

Whereas the Central Asian nations of Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan provided the United States with important assistance in the war in Afghanistan, from military basing and over-flight rights to the facilitation of humanitarian relief;

Whereas America's victory over the Taliban in turn provided important benefits to the Central Asian nations, removing a regime that threatened their security, and signifi-

cantly weakening the Islamic Movement of Uzbekistan, a terrorist organization that had previously staged armed raids from Afghanistan into the region;

Whereas the United States has consistently urged the nations of Central Asia to open their political systems and economies and to respect human rights, both before and since the attacks of September 11, 2001;

Whereas Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan are members of the United Nations and the Organization for Security and Cooperation in Europe, both of which confer a range of human rights obligations on their members;

Whereas, according to the State Department Country Reports on Human Rights Practices, the Government of Kazakhstan harasses and monitors independent media and human rights activists, restricts freedom of association and opposition political activity, and allows security forces to commit extrajudicial executions, torture, and arbitrary detention with impunity;

Whereas, according to the Department of State, the Government of the Kyrgyz Republic engages in arbitrary arrest and detention, restricts the activities of political opposition figures, religious organizations deemed “extremist,” human rights activists, and nongovernmental organizations, and discriminates against ethnic minorities;

Whereas, according to the Department of State, the Government of Tajikistan remains authoritarian, curtailing freedoms of speech, assembly, and association, with security forces committing extrajudicial executions, kidnappings, disappearances, and torture;

Whereas, according to the Department of State, Turkmenistan is a Soviet-style one-party state centered around the glorification of its president, which engages in serious human rights abuses, including arbitrary arrest and detention, severe restrictions of personal privacy, repression of political opposition, and restrictions on freedom of speech and nongovernmental activity;

Whereas, according to the Department of State, the Government of Uzbekistan continues to commit serious human rights abuses, including arbitrary arrest, detention and torture in custody, particularly of Muslims who practice their religion outside state controls, the severe restriction of freedom of speech, the press, religion, independent political activity and nongovernmental organizations, and detains over 7,000 people for political or religious reasons;

Whereas the United States Commission on International Religious Freedom has expressed concern about religious persecution in the region, recommending that Turkmenistan be named a Country of Particular Concern under the International Religious Freedom Act of 1998, and that Uzbekistan be placed on a special “Watch List”;

Whereas, by continuing to suppress human rights and to deny citizens peaceful, democratic means of expressing their convictions, the nations of Central Asia risk fueling popular support for violent and extremist movements, thus undermining the goals of the war on terrorism;

Whereas President Bush has made the defense of “human dignity, the rule of law, limits on the power of the state, respect for women and private property and free speech and equal justice and religious tolerance” strategic goals of United States foreign policy in the Islamic world, ar-

guing that “a truly strong nation will permit legal avenues of dissent for all groups that pursue their aspirations without violence”; and

Whereas the Congress has expressed its desire to see deeper reform in Central Asia in past resolutions and other legislation, most recently conditioning assistance to Uzbekistan on its progress in meeting human rights and democracy commitments to the United States: Now, therefore, be it

1 *Resolved by the Senate and the House of Representa-*
 2 *tives of the United States of America in Congress assembled,*
 3 That it is the Sense of the Congress that:

4 (1) the governments of Kazakhstan,
 5 Kyrgyzstan, Tajikistan, Turkmenistan, and
 6 Uzbekistan should accelerate democratic reforms
 7 and fulfill their human rights obligations including,
 8 where appropriate, by—

9 (A) releasing from prison all those jailed
 10 for peaceful political activism or the nonviolent
 11 expression of their political or religious beliefs;

12 (B) fully investigating any credible allega-
 13 tions of torture and prosecuting those respon-
 14 sible;

15 (C) permitting the free and unfettered
 16 functioning of independent media outlets, inde-
 17 pendent political parties, and nongovernmental

1 organizations, whether officially registered or
2 not;

3 (D) permitting the free exercise of reli-
4 gious beliefs and ceasing the persecution of
5 members of religious groups and denominations
6 not registered with the state;

7 (E) holding free, competitive, and fair elec-
8 tions; and

9 (F) making publicly available documenta-
10 tion of their revenues and punishing those en-
11 gaged in official corruption;

12 (2) the President, the Secretary of State, and
13 the Secretary of Defense should—

14 (A) continue to raise at the highest levels
15 with the governments of the nations of Central
16 Asia specific cases of political and religious per-
17 secution, and urge greater respect for human
18 rights and democratic freedoms at every diplo-
19 matic opportunity;

20 (B) take progress in meeting the goals out-
21 lined in paragraph (1) into account when deter-
22 mining the level and frequency of United States
23 diplomatic engagement with the governments of
24 the Central Asian nations, the allocation of
25 United States assistance, and the nature of

1 United States military engagement with the
2 countries of the region;

3 (C) ensure that the provisions of the for-
4 eign operations appropriations Acts are fully
5 implemented to ensure that no United States
6 assistance benefits security forces in Central
7 Asia implicated in violations of human rights;

8 (D) follow the recommendations of the
9 United States Commission on International Re-
10 ligious Freedom by designating Turkmenistan a
11 Country of Particular Concern under the Inter-
12 national Religious Freedom Act of 1998 and by
13 making clear that Uzbekistan risks designation
14 if conditions there do not improve;

15 (E) press the Government of
16 Turkmenistan to respect the right of impris-
17 oned opposition leader Boris Shikmuradov to
18 due process and a fair trial and to release
19 democratic activists and their family members
20 from prison, and urge the Government of Rus-
21 sia not to extradite to Turkmenistan members
22 of that country's political opposition;

23 (F) work with the Government of
24 Kazakhstan to create a political climate free of
25 intimidation and harassment, including releas-

1 ing political prisoners and permitting the return
2 of political exiles, most notably Akezan
3 Kazegeldin, and to reduce official corruption,
4 including by urging the Government of
5 Kazakhstan to cooperate with the ongoing De-
6 partment of Justice investigation; and

7 (G) support through United States assist-
8 ance programs those individuals, nongovern-
9 mental organizations, and media outlets in Cen-
10 tral Asia working to build more open societies,
11 to support the victims of human rights abuses,
12 and to expose official corruption; and

13 (3) increased levels of United States assistance
14 to the governments of the Central Asian nations
15 made possible by their cooperation in the war in Af-
16 ghanistan can be sustained only if there is substan-
17 tial and continuing progress towards meeting the
18 goals outlined in paragraph (1).

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